ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: DOI-BLM-AZ-A010-2010-0021-CX

Project Title: NOAA Meteorological Monitoring Site Rights-of-Way AZA-35475 and AZA-35359

Project Lead: Laurie Ford

Date that any scoping meeting was conducted: N/A

Date that concurrent, electronic distribution for review was initiated: August 24, 2010

Deadline for receipt of responses: September 13, 2010

ID Team/Required Reviewers will be determined at scoping meeting or as a default the following:

Gloria Benson, Tribal Liaison
Jon Jasper, Recreation/Wilderness/VRM
Laurie Ford, Lands/Realty/Minerals
Scot Franklin, Wildlife/T&E Wildlife
John Herron, Cultural
Lee Hughes, Special Status Plants
Ray Klein, GCPNM Supervisory Ranger
Linda Price, S&G
Whit Bunting, Range/Vegetation/Weeds
Richard Spotts, Environmental Coordinator
John Sims, Supervisory Law Enforcement
Lorraine Christian, ASFO Field Manager

Required Recipients of electronic distribution E-mails only (not reminders):

Andi Rogers (E-mail address: arogers@azgfd.gov) Sarah Reif (E-mail address: sreif@azgfd.gov)

LeAnn Skrzynski (E-mail address: lskrzynski@kaibabpaiute-nsn.gov)

(Ms. Rogers and Ms. Reif are Arizona Game and Fish Department (AGFD) habitat specialists. Ms. Skrzynski is Environmental Program Director for the Kaibab Paiute Tribe (KPT). They may review and/or forward on ASDO NEPA documents to other employees. If a Project Lead receives comments from any AGFD employee on their draft NEPA document, they should include them in the complete sel/administrative record and share them with Kitti Jensen as the ASDO Wildlife Team Lead. Ms. Jensen will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT employee, they should include them in the complete sel/administrative record and share them with Gloria Benson as the ASDO Native American Coordinator. Ms. Benson will then recommend how these comments should be addressed.)

Discretionary Reviewers:

Jackie Roaque, Range/Vegetation

NOAA Meteorological Monitoring Site Rights-of-Way AZA-35475 & AZA-35359

NEPA Document Number: DOI-BLM-AZ-A010-2010-0021-CX

Categorical Exclusion Documentation

A. Background

BLM Office: Arizona Strip Field Office

Case File Nos.: AZA-35475 & AZA-35359

Proposed Action Title/Type: NOAA Meteorological Monitoring Site Rights-of-Way

<u>Location of Proposed Action</u>: The proposed rights-of-way are located within the following described area and as shown on the attached maps (Attachment 1 – Black Rock Site and Attachment 2 – Fredonia Site):

Gila and Salt River Meridian, Arizona

Black Rock Site (AZA-35475):

T. 39 N., R. 14 W.,

containing 0.064 acre, more or less

sec. 12, SW1/4NW1/4SE1/4.

Fredonia Site (AZA-35359):

T. 40 N., R. 2 W.,

containing 0.873 acre, more or less

sec. 24, NW1/4SE1/4NE1/4.

<u>Description of Proposed Action</u>: In support of the Department of Commerce (DOC), National Oceanic and Atmospheric Administration's (NOAA) U.S. Historical Climatology Network Modernization (USHCN-M) program, the DOC, National Weather Service (NWS) has submitted two right-of-way applications to install meteorological monitoring stations on Black Rock Mountain and south of Fredonia.

Access to the Black Rock Site would be on BLM Roads 1004 and 1535, then a short distance cross country to the site, approximately 150 feet long by 15 feet wide. Access to the Fredonia Site would be by Forest Service road right-of-way AZAR-0217 (Ryan Road) then on an existing power line maintenance access road, approximately 2,500 long by 15 feet wide, to the site which is approximately 500 feet east of a Garkane power line (right-of-way AZAR-032478). No new road construction and no upgrading of existing roads would take place. A 24-foot by 24-foot right-of-way area would be used at each monitoring site. No land grading at the sites would be necessary.

Construction would be conducted in two phases. The first phase would be to establish the sites and create the concrete anchors. A cement truck would need to access the sites for initial construction. There would be three cylindrical concrete anchors for each of the three instrument bases at each site. The bases would be positioned approximately as shown in Figure 1, Attachment 3. The second phase would provide installation of infrastructure and instruments at the sites. Temperature and precipitation instrumentation would be installed along with a 10 foot tower containing a GOES antenna and data logger as shown on Figure 2, Attachment 3. The default power of the sites would be solar with AC current optional, if necessary. The installed sites would resemble the USHCN-M site shown in Figure 3, Attachment 3. The sites may be fenced to BLM standards if determined necessary to protect the sites. After construction, NOAA or NOAA contractors would access the sites once per year for annual maintenance and calibration, and other visits, as determined necessary for routine maintenance, repair, removal, or replacement of NOAA equipment.

Right-of-way grants would be issued for 30 years and would be renewable. The right-of-way grants would be subject to all provisions of 43 CFR 2800 including the terms and conditions identified in 43 CFR 2805 and special conditions listed in Attachment 4.

<u>Background Information</u>: The DOC, NOAA's USHCN-M program sustains the Nation's regional climate record through modernization of the Historical Climatology Network (HCN), a subset of the NWS, Cooperative Observer Network. Specifics of this project are:

- Modernize 1,000 of the existing 1,221 HCN stations to collect temperature and precipitation date through automation.
- Provide for expansion capacity to collect other data sets (e.g., National Integrated Drought Information System data set).
- Address gaps in the HCN including: data quality, data availability, and aging technology.

The first phase of HCN-M includes sites in the contiguous United States. Establishing modernized HCN sites in Alaska and the Pacific Region is a high priority, but requires special consideration due to revised longevity requirements and more rigorous site requirements based on the more extreme environmental factors. The modernization of HCN sites in Alaska and the Pacific Region will be Phase 2.

B. Land Use Plan Conformance

Land Use Plan Name: Arizona Strip Field Office Resource Management Plan

Date Approved: January 29, 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision:

MA-LR-06 – Individual land use authorizations (ROWs, permits, leases, easements) will be evaluated on a case-by-case basis in accordance with other RMP provisions and NEPA compliance. New land use authorizations will be discouraged within avoidance areas (i.e., ACECs, lands supporting listed species, NHTs, riparian areas, and areas managed to maintain wilderness characteristics) and allowed in such areas only when no reasonable alternative exists and impacts to these sensitive resources can be mitigated. New ROWs will be routed away from high-density listed species' populations and cultural sites, and along the edges of avoidance areas. In addition, mitigation measures may include underground placement of linear ROWs along existing roads in the House Rock Valley area and special protection measures for archaeological resources (See Special Status Species and Cultural decisions).

The proposed rights-of-way are not located within right-of-way avoidance areas, high-density listed species' populations, or cultural sites. Cultural inventories have been completed of the sites which documented no cultural properties were present. In addition, the proposed action does not conflict with other decisions in the LUP.

C: Compliance with NEPA:

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, J(3), which provides for environmental monitoring, including siting, construction, installation, and/or operation of small monitoring devices such as wells, particulate dust counters, and automatic air or water samples.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply (Attachment 5).

I considered the low/minimum impacting nature of the proposed rights-of-way along with the additional special conditions identified in Attachment 4 which would not cause appreciable damage or disturbance to the public lands, their resources, or improvements.

D: Signature

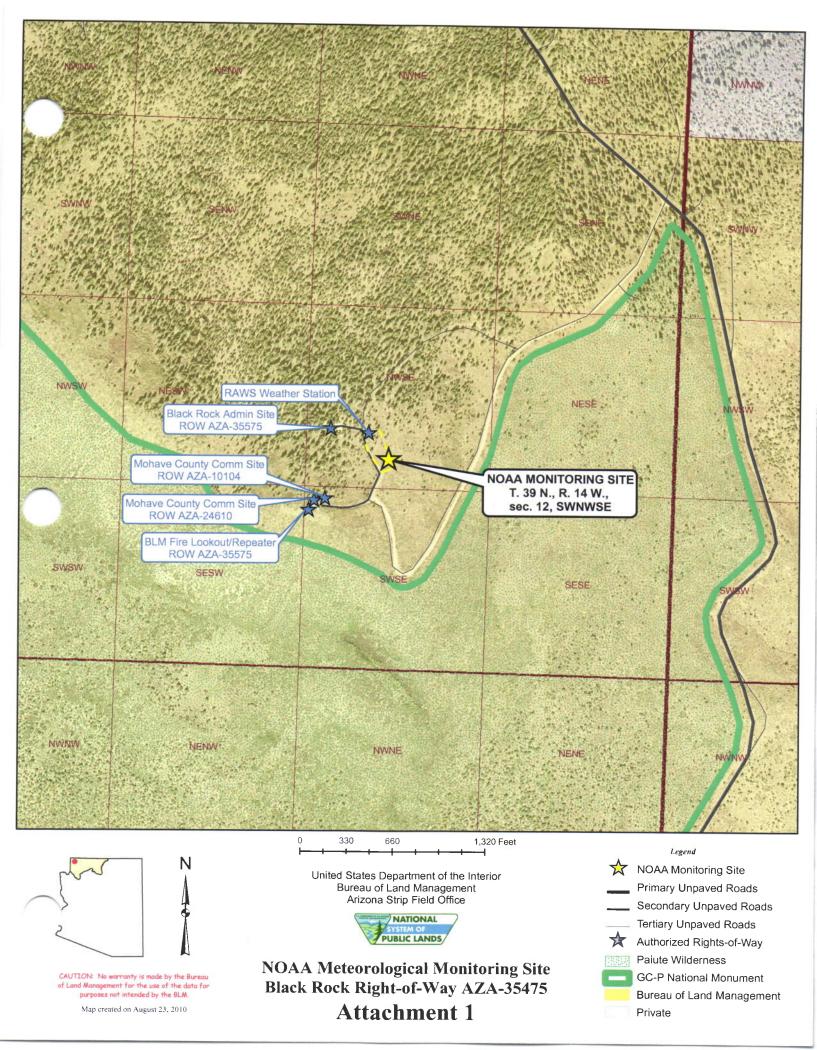
Authorizing Official:

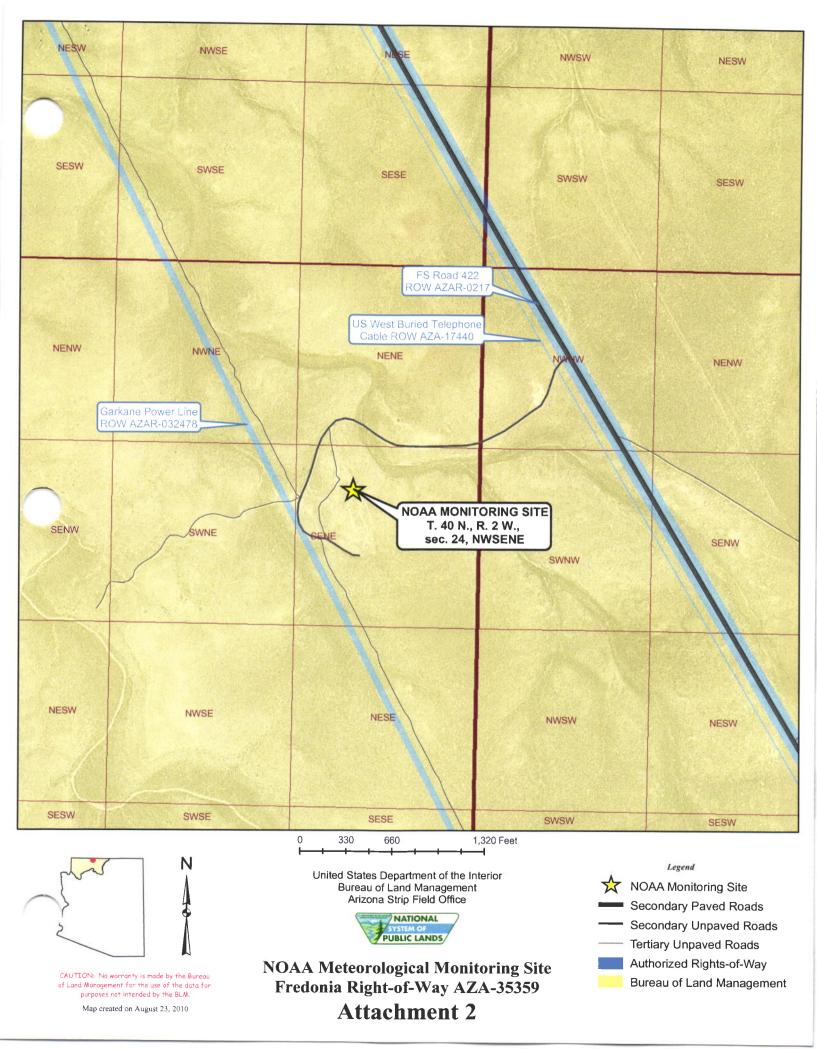
Date:

10/12/10

Contact Person: For additional information concerning this CX review, contact Laurie Ford, Team Lead, Lands and Geological Sciences, BLM, Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790; phone (435) 688-3271.

Lorraine M. Christian, Field Manager





Attachment 3

Equipment & Site Layout NOAA Meteorological Monitoring Site Rights-of-Way AZA-35475 & AZA-35359

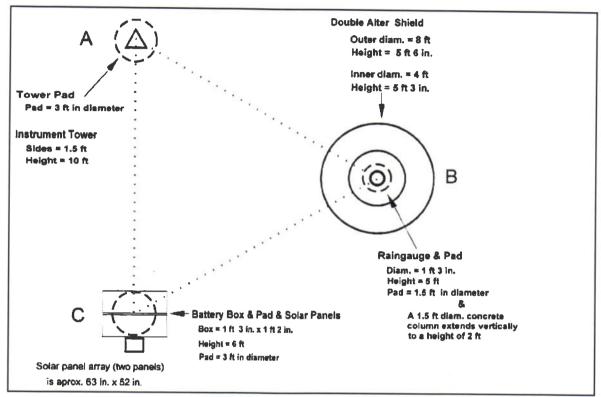


Figure 1: Layout for HCN-M Station with Solar Power

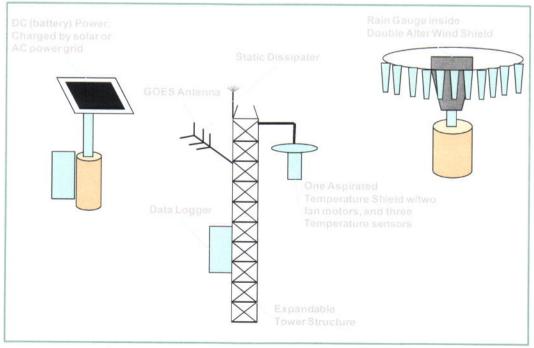


Figure 22: HCN-M Station Concept Diagram



Figure 3: Installed USHCN-M Site at Kodachrome Basin, UT

Attachment 4

Special Conditions NOAA Meteorological Monitoring Site Rights-of-Way AZA-35475 & AZA-35359

- 1. Construction-related traffic would be restricted to routes approved by the authorized officer. New access roads or cross-country vehicle travel would not be permitted unless prior written approval is given by the authorized officer. No upgrading of the existing approved route would be authorized.
- 2. No construction or routine maintenance activities would be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep on the access road, the soil would be deemed too wet to adequately support construction equipment.
- 3. Construction sites would be maintained in a sanitary condition at all times; waste materials at those sites would be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. "Waste" also includes the creation of micro-trash such as bottle caps, pull tabs, broken glass, cigarette butts, small plastic, etc. No micro-trash would be left at construction sites and trash receptacles used at construction sites would be wildlife proof.
- 4. At no time would vehicle or equipment fluids (including motor oil and lubricants) be dumped on public lands. All accidental spills would be reported to the authorized officer and be cleaned up immediately, using best available practices and requirements of the law, and disposed of in an authorized disposal site. All spills of federally or state listed hazardous materials which exceed the reportable quantities would be promptly reported to the appropriate state agency and the authorized officer.
- 5. Any surface or sub-surface archaeological, historical, or paleontological remains not covered in the Cultural Resource Project Record discovered during preparation or actual work would be left intact; all work in the area would stop immediately and the authorized officer (435-688-3323) would be notified. Commencement of work would be allowed upon clearance by the authorized officer in consultation with the archaeologist.
- 6. If in connection with this work, any human remains, funerary objects, sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P. L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the holder would stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the authorized officer. The holder would continue to protect the immediate area of the discovery until notified by the authorized officer that operations may resume.
- 7. There is potential for the spread of noxious and invasive weeds from equipment contaminated with weed seed and/or biomass. To reduce this potential, the authorized officer would require the following measures be taken: a) The holder would thoroughly power wash and remove all vegetative material and soil before transporting equipment to the work sites to help minimize the threat of spreading noxious and invasive weeds. This includes trucks, trailers, and all other machinery. b) The holder would be responsible for the eradication of noxious weeds within the right-of-way areas throughout the term of the rights-of-way. c) The holder would be responsible for consultation with the authorized officer and local authorities for implementing acceptable weed treatment methods. Any use of chemical treatments would be made using only chemicals approved in the Final Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States

Programmatic Environmental Impact Statement (June 2007b), by a state certified applicator who would abide by all safety and application guidelines as listed on the product label and Material Safety Data Sheet. d) Any reclamation efforts requiring seeding would be done with certified, weed-free seed, using a seed mix approved by the authorized officer.

- 8. Use of herbicides would comply with the applicable Federal and state laws. Herbicides would be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of herbicides, the holder would obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, weed(s) to be controlled, method of application, location of storage and mixing areas, method of cleansing and disposing of containers, and any other information deemed necessary by the authorized officer. Emergency use of herbicides would be approved in writing by the authorized officer prior to such use.
- 9. All surface disturbance, including maintenance activities and associated travel, would be kept to the minimum necessary to accomplish the task. Upon completion of installation, sites would be hand raked to recontour any disturbance within the 24-foot by 24-foot right-of-way area.
- 10. Prior to project implementation, the project supervisor would contact the BLM wildlife team lead at (435) 688-3200 to determine the locations and status of condors in or near the project area. If California condors are encountered while authorized activities are underway, the holder would notify the BLM wildlife team lead. Project activities would be modified or delayed if those activities have adverse effects on condors.
- 11. For compliance with the Migratory Bird Treaty Act the following stipulation applies: Please avoid any occupied bird nests during the project. If it is determined that any occupied nests cannot be avoided as part of the project, contact the BLM wildlife team lead to determine any mitigation.
- 12. No hazing or harassment of wildlife would be permitted.
- 13. The holder should avoid disturbing shrubs and other vegetation to the extent possible. Shrubs provide important shelter and forage for wildlife on the Arizona Strip.
- 14. All above-ground structures not subject to safety requirements or other painting requirements specified by the authorized officer would be painted by the holder to blend with the natural color of the landscape, unless the function of the equipment would be comprised by painting. The paint used shall be a color which simulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee Shadow Gray for the Fredonia site and Juniper Green for the Black Rock/Littlefield site.

Attachment 5

Extraordinary Circumstances Review and Checklist NOAA Meteorological Monitoring Site Rights-of-Way AZA-35475 & AZA-35359

IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.

EXTRAORDINARY CIRCUMSTANCES Does the proposed action	YES/NO & RATIONALE (If Appropriate)	STAFF
Have significant impacts on public health and safety?	No	LFord
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?	No	JJasper JHerron SFranklin
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No	LFord
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	LFord
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	No	LFord
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	LFord
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?	No	JHerron
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?	No	SFranklin LHughes
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?	No	SFranklin GBenson
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	No	LFord
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?	No	GBenson
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?	No	WBunting

Decision Memorandum

NOAA Meteorological Monitoring Site Rights-of-Way AZA-35475 & AZA-35359

DOI-BLM-AZ-A010-2010-0021-CX U.S. Department of the Interior Bureau of Land Management Arizona Strip Field Office

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the Arizona Strip Field Office Resource Management Plan (approved January 29, 2008) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with the special conditions identified in Attachment 4 of the CX.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 2801.10(b), this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition pursuant to regulations at 43 CFR 2801.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151 (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

		-/ /	/
Lorraine M.	Christian,	Field N	Manager

Date

10/12/10

Attachment: Form 1842-1

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,

AND

2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE

NOTICE OF APPEAL.....

Field Manager

Arizona Strip Field Office, Bureau of Land Management

345 East Riverside Dr., St. George, UT 84790

WITH COPY TO SOLICITOR...

Office of the Field Solicitor

Sandra Day O'Connor US Courthouse, Suite 404

401 West Washington Street, SPC-44 Phoenix, Arizona 85003-2151

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO SOLICITOR.....

Office of the Field Solicitor

Sandra Day O'Connor US Courthouse, Suite 404

401 West Washington Street, SPC-44 Phoenix, Arizona 85003-2151

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

inless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821-GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ------- Alaska
Arizona State Office ------ Arizona
California State Office ------ California
Colorado State Office ------ Colorado
Eastern States Office ------ Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ------ Idaho
Montana State Office ------ Montana, North Dakota and South Dakota
Nevada State Office ------ Nevada
New Mexico State Office ----- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ------ Oregon and Washington
Utah State Office ------ Utah
Wyoming State Office ------ Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)